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Original documents to follow by mail No originals will be sent

DATE: November 3, 2008

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Application No.: 09/757,519
Applicant: Horne et al.
Due Date: November 16, 2008

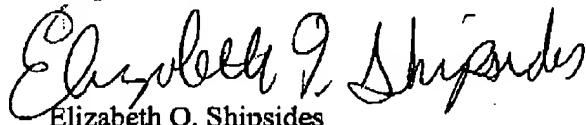
OUR REF.: 3132.07US02

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Attached is the following for filing in the above-identified application.

- (1) Appeal Brief Transmittal (1 page);
- (2) Appeal Brief (26 pages);
- (3) Claims Appendix (4 pages);
- (4) Evidence Appendix with Three Patents (24 pages); and
- (5) Related Proceedings Appendix with Decision (8 pages).

Respectfully submitted,


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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office, Fax No. 571-273-8300 on the date shown below.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Attorney Docket No.: 3132.07US02

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Application No.: 09/757,519

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Filed: January 9, 2001

Group Art Unit: 1754

For: METAL VANADIUM OXIDE PARTICLES

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

BRIEF FOR APPELLANT